

NO. PD-1348-17

LAURO EDUARDO RUIZ

VS.

THE STATE OF TEXAS

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IN THE COURT OF

FILED
COURT OF CRIMINAL APPEALS
6/21/2018
DEANA WILLIAMSON, CLERK

CRIMINAL APPEALS

AUSTIN, TEXAS

MOTION FOR EXTENSION OF TIME
TO FILE STATE'S RESPONSE BRIEF

TO THE HONORABLE JUDGES OF THE FOURTH COURT OF APPEALS:

NOW COMES Nicholas "Nico" LaHood, Criminal District Attorney of Bexar County and Counsel for the State of Texas, and files this Motion asking that the Court extend the time for filing the State's brief.

Appellee, Lauro Ruiz, is charged with ten (10) counts of attempted sexual performance of a child in an indictment filed on April 13, 2015. The defense filed a motion to suppress the State's evidence which was granted on April 7, 2016. The State appealed the order suppressing the evidence in the Fourth Court of Appeals under cause number 04-16-00226-CR. The Fourth Court reversed and remanded the trial court's order on July 26, 2017. The Fourth Court denied Ruiz's motion for en banc reconsideration on November 16, 2017. Ruiz petitioned this Court for discretionary review, which was granted on March 28, 2018.

Ruiz filed his brief on the merits on May 13, 2018. The State's reply brief was due on June 13, 2018. This is the State's first extension motion and the State asks for a 30 day extension to July 13, 2018.

This extension is not sought for the purpose of delaying this matter. The State requests an extension for the following reasons:

- 1) Counsel would like more time to research and write the State's brief.
- 2) Counsel was out of town from June 8-20, 2018 for a family vacation.
- 3) Counsel had a grandparent pass away and will be out of the office from June 22-26, 2018 for the memorial service.

Therefore, counsel respectfully asks the Court to grant this extension time to file the State's brief in this case.

WHEREFORE, PREMISES CONSIDERED, Counsel for the State prays that the Court grant an extension of time to July 13, 2018 for filing the State's response brief.

Respectfully submitted,

Nicholas "Nico" LaHood
Criminal District Attorney
Bexar County, Texas

/s/ Lauren A. Scott

Lauren A. Scott
State Bar No. 24066843
Assistant Criminal District Attorney
101 W. Nueva Street
San Antonio, Texas 78205-3030
Phone: (210) 335-2885
Email: lscott@bexar.org

CERTIFICATE OF SERVICE

I, Lauren A. Scott, Assistant District Attorney, Bexar County, Texas, certify that a copy of the foregoing motion was electronically mailed to Alex J. Scharff, attorney for appellant, on June 20, 2018.

/s/ Lauren A. Scott

Lauren A. Scott

State Bar No. 24066843

Assistant Criminal District Attorney

101 W. Nueva Street

San Antonio, Texas 78205-3030

Phone: (210) 335-2885

Email: lscott@bexar.org